

Remarks

New claim 15 recites a particular region of the recQ4 helicase. This region is supported at page 37, lines 30-32. The disclosure at page 37, lines 30-32 is amended to correct a clerical error which omitted the last digit of the C terminal amino acid residue of the recQ4 helicase protein. The C terminal amino acid residue of the recQ4 helicase protein is disclosed as being residue 1208 *inter alia* at SEQ ID NO: 4 and at Figure 3.

The rejection of claim 7 under the second paragraph of section 112

Claim 7 has been amended to recite a particular sequence. This clarifies what the term “RecQ4 helicase” means. Claim 7 has been further amended to clarify that the RecQ4 helicase itself is not part of the diagnostic agent. It is respectfully submitted that these clarifying amendments overcome the rejection for lack of clarity.

The rejection of claim 7 under the first paragraph of section 112

It is respectfully submitted that the amendment to recite SEQ ID NO: 4 in claim 7 overcomes the written description rejection.

The rejection of claim 7 for double patenting

Claim 7 was rejected as obvious over claims 1-3 of U.S. Patent No. 6,472,513. A terminal disclaimer and appropriate fee accompany this submission.

The rejection of claim 7 under section 102

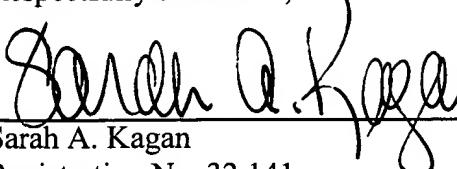
Claim 7 is rejected as anticipated by Puranam et al. Claim 7 has been amended to recite a particular sequence, SEQ ID NO: 4. It is respectfully submitted that this amendment distinguishes the recited antibody from that taught in Puranam. Even a cursory inspection/comparison of the Puranam sequence shown in figure 2 with the sequence of SEQ ID NO: 4 indicates that the two are distinct. Withdrawal of this rejection is respectfully requested.

Date: November 17, 2004

Banner & Witcoff, Ltd.
Customer No. 22907

By:

Respectfully submitted,


Sarah A. Kagan
Sarah A. Kagan
Registration No. 32,141